

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY)
UTILITIES COMPANY FOR AN ADJUSTMENT) CASE NO.
OF ITS ELECTRIC RATES AND FOR) 2016-00370
CERTIFICATES OF PUBLIC CONVENIENCE)
AND NECESSITY)

ELECTRONIC APPLICATION OF LOUISVILLE GAS)
AND ELECTRIC COMPANY FOR AN) CASE NO.
ADJUSTMENT OF ITS ELECTRIC AND GAS) 2016-00371
RATES AND FOR CERTIFICATES OF PUBLIC)
CONVENIENCE AND NECESSITY)

ORDER

By Order entered January 26, 2017, the Commission scheduled a public hearing to be held on May 2, 2017, in these non-consolidated cases for the purpose of cross-examination of witnesses of Kentucky Utilities Company and Louisville Gas and Electric Company (collectively "Utilities") and Intervenors. That hearing was subsequently rescheduled to May 9, 2017.¹ Upon the joint motion of the Utilities, an informal conference was held at the Commission's offices beginning on April 12, 2017, for the purposes of discussing the issues and the possible resolution of issues in these cases.

As a result of the discussions held at the informal conference, a Stipulation and Recommendation was filed on April 19, 2017 ("April 19 Stipulation"), signed by the Utilities

¹ Order (Ky. PSC Apr. 7, 2017).

and all but two of the Intervenors, setting forth a recommended settlement of all issues in these cases. Twelve days later, on May 1, 2017, a Second Stipulation and Recommendation ("May 1 Stipulation") was filed, signed by the Utilities and BellSouth Telecommunications, LLC d/b/a AT&T Kentucky ("AT&T") and Kentucky Cable Telecommunications Association ("KCTA"), the two Intervenors who had not signed onto the April 19 Stipulation. The May 1 Stipulation sets forth a recommended settlement that relates exclusively to pole attachments and provides that the two signing Intervenors do not object to the April 19 Stipulation, except for the agreed-to revisions to the pole attachment provisions. On April 19, 2017, and May 1, 2017, the Utilities jointly filed motions requesting the Commission to accept for filing the April 19 Stipulation and the May 1 Stipulation, respectively. On April 24, 2017, the Utilities filed a motion requesting leave to submit testimonies in support of the April 19 Stipulation and tendered the supporting testimonies.

Based on a review of the record and being otherwise sufficiently advised, the Commission acknowledges the efforts of all parties to work collaboratively to achieve settlements on the issues in these cases. However, the Commission reiterates its statements, made at the March 28, 2017 hearing, that it is our statutory responsibility to determine whether proposed utility rates are fair, just, and reasonable, and we cannot delegate that responsibility to the parties to these cases. The hearing scheduled on May 9, 2017, will now be for the purposes of cross-examination of all witness and for the consideration of the two recommended settlements.

The Commission will require all of the Utilities' employee witnesses to be at the hearing, as well as the Utilities' consultant witness Steve Seelye, Kentucky Industrial Utility Customers, Inc.'s ("KIUC") witness Stephen Baron, and Kentucky School Board Association's ("KSBA") witness Ronald Willhite. To provide the Utilities and Intervenors an opportunity to cross-examine any of the other witnesses, a written notice setting forth the name of each other witness to be cross-examined should be filed by May 5, 2017. In the absence of a notice naming witnesses other than those required by the Commission to be at the hearing, the parties will be deemed to have waived cross-examination of those witnesses, and the witnesses will be excused from attending the May 9, 2017 hearing.

Finally, the Commission finds good cause to grant the Utilities' joint motions and to accept for filing the April 19 Stipulation, the May 1 Stipulation, and the tendered testimonies in support of the April 19 Stipulation.

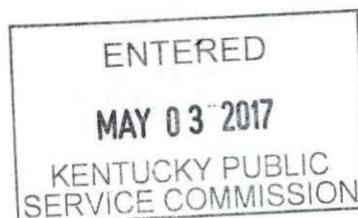
IT IS THEREFORE ORDERED that:

1. All of the Utilities' employee witnesses as well as the Utilities' consultant witness Steve Seelye, KIUC's witness Stephen Baron, and KSBA's witness Ronald Willhite shall be at the hearing.
2. Any party that wishes to cross-examine any of the other witnesses shall file by May 5, 2017, a written notice setting forth the name of each witness to be cross-examined.

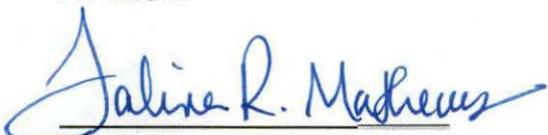
3. The parties shall be deemed to have waived cross-examination of any witness not required by the Commission to be at the hearing and not named by a party by May 5, 2017, to be cross-examined, and those witnesses are excused from attending the May 9, 2017 hearing.

4. The Utilities' joint motions to accept for filing the April 19 Stipulation, the May 1 Stipulation, and the tendered testimonies in support of the April 19 Stipulation are granted, and those documents are accepted for filing.

By the Commission



ATTEST:


Executive Director

Case No. 2016-00370
Case No. 2016-00371

*Honorable Allyson K Sturgeon
Senior Corporate Attorney
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Dennis G Howard, II
Howard Law PLLC
740 Emmett Creek Lane
Lexington, KENTUCKY 40515

*G. Houston Parrish
Labor Law Attorney
Office of the Staff Judge Advocate, B
50 3rd Avenue
Fort Knox, KENTUCKY 40121

*William May
Hurt, Deckard & May
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

*Don C A Parker
Spilman Thomas & Battle, PLLC
1100 Brent Creek Blvd., Suite 101
Mechanicsburg, PENNSYLVANIA 17050

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Barry Alan Naum
Spilman Thomas & Battle, PLLC
1100 Brent Creek Blvd., Suite 101
Mechanicsburg, PENNSYLVANIA 17050

*Emily W Medlyn
General Attorney
U.S. Army Legal Services Agency Regul
9275 Gunston Road
Fort Belvoir, VIRGINIA 22060

*Janice Theriot
Zielke Law Firm PLLC
1250 Meidinger Tower
462 South Fourth Avenue
Louisville, KENTUCKY 40202

*Casey Roberts
Sierra Club
1536 Wynkoop St., Suite 312
Denver, COLORADO 80202

*Eileen Ordovery
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Carrie M Harris
Spilman Thomas & Battle, PLLC
1100 Brent Creek Blvd., Suite 101
Mechanicsburg, PENNSYLVANIA 17050

*Thomas J FitzGerald
Counsel & Director
Kentucky Resources Council, Inc.
Post Office Box 1070
Frankfort, KENTUCKY 40602

*Honorable Kendrick R Riggs
Attorney at Law
Stoll Keenon Ogden, PLLC
2000 PNC Plaza
500 W Jefferson Street
Louisville, KENTUCKY 40202-2828

*Joe F Childers
Joe F. Childers & Associates
300 Lexington Building
201 West Short Street
Lexington, KENTUCKY 40507

*Gregory T Dutton
Goldberg Simpson LLC
9301 Dayflower Street
Louisville, KENTUCKY 40059

*Kent Chandler
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Cheryl Winn
Waters Law Group, PLLC
12802 Townepark Way, Suite 200
Louisville, KENTUCKY 40243

*Gardner F Gillespie
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue NW, Suite 1
Washington, DISTRICT OF COLUMBIA 20006

*Lawrence W Cook
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Honorable Lisa Kilkelly
Attorney at Law
Legal Aid Society
416 West Muhammad Ali Boulevard
Suite 300
Louisville, KENTUCKY 40202

*Honorable Matthew R Malone
Attorney at Law
Hurt, Deckard & May
The Equus Building
127 West Main Street
Lexington, KENTUCKY 40507

*Laurence J Zielke
Zielke Law Firm PLLC
1250 Meidinger Tower
462 South Fourth Avenue
Louisville, KENTUCKY 40202

*Paul Werner
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue NW, Suite 1
Washington, DISTRICT OF COLUMBIA 20006

*Matthew Miller
Sierra Club
50 F Street, NW, Eighth Floor
Washington, DISTRICT OF COLUMBIA 20001

*Rebecca W Goodman
Assistant Attorney General
Office of the Attorney General Office of Rate
700 Capitol Avenue
Suite 20
Frankfort, KENTUCKY 40601-8204

*Megan Grant
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Avenue NW, Suite 1
Washington, DISTRICT OF COLUMBIA 20006

*Honorable Robert C Moore
Attorney At Law
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634

*Mark E Heath
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WEST VIRGINIA 25301

*Robert Conroy
LG&E and KU Energy LLC
220 West Main Street
Louisville, KENTUCKY 40202

*Michael J O'Connell
Jefferson County Attorney
Brandeis Hall of Justice
600 West Jefferson St., Suite 2086
Louisville, KENTUCKY 40202

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Louisville Gas and Electric Company
220 W. Main Street
P. O. Box 32010
Louisville, KY 40232-2010